

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

BENNY MCCLELLAN

PLAINTIFF

vs.

No. 04-2203

CARL SACHS

DEFENDANT

**O R D E R**

NOW on this 17TH day of August, 2005, comes on for consideration the above-styled cause.

IT APPEARING to the court that the matter has been settled, counsel for all parties having so advised the court, it is ORDERED that the case be, and it is hereby, dismissed with prejudice, subject to the terms of the settlement agreement.

If any party desires to make the terms of settlement a part of the record herein, those terms should be reduced to writing and filed with the court within thirty (30) days from the file date of this order.

The court retains jurisdiction to vacate this order and to reopen the action upon cause shown that settlement has not been completed and that a party wishes this court to enforce the settlement agreement specifically.

/s/ Robert T. Dawson  
**ROBERT T. DAWSON**  
**UNITED STATES DISTRICT JUDGE**